

DEP & REF Rm 307



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents
Washington, D.C. 20231

ASSERTION OF SMALL ENTITY STATUS UNDER 37 C.F.R. § 1.27(c) and
REQUEST FOR REFUND UNDER 37 C.F.R. § 1.28(a).

Dear Sir:

The respective Applicants, and Patentees declare that small entity status is entitled to be asserted in the following applications and patent:

<u>Serial/Patent No:</u>	<u>Attorney Docket No:</u>
1. 29/123,227	RTI-D1
2. 09/962,924	RTI-113R
3. 09/154,400	TB-110IA
4. 09/191,232	RTI-111
5. 09/711,670	RTI-101IA
6. 60/328,283	RTI-137P3
7. 10/013,328	RTI-118IC
8. 09/905,683	TB-104IACA
9. 09/941,154	RTI-112RIA
10. 09/924,110	RTI-118IB
11. 09/898,913	RTI-136
12. 09/191,232	RTI-111
13. 5,814,084	TB-100

Fees were paid by Applicants and Patentees in the foregoing applications (items 1-12) and one patent (item 13) within three months from the date of this submission. Such fees were erroneously paid as large entity status fees. Small entity status was entitled to be asserted in items 1-13 at the time of paying such fee. Therefore, it is respectfully requested that fees paid under large entity status be refunded. Attached please find a summary chart of the refund fees requested herein, which reflect the date of the filing of the fee, the reason for payment of the fee and the difference requested for a refund.

Please provide the refund via wire transfer to the following account:

Bank: SunTrust
Account Name: Van Dyke & Associates, P.A.
Account Number: 0710629938753
Bank/Routing Number: 063102152

Refund Ref: 06/17/2002 0030007999

Credit Card Refund Total: \$1673.00

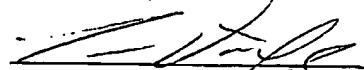
Master C: XXXXXXXXXXXX1938

Adjustment date: 06/17/2002 AKELLEY
07/02/2002 MBERRIE 00000040 09924110
01 FC:101 740.00 OP
02 FC:105 -130.00 OP
03 FC:103 -160.00 OP
04 FC:102 -336.00 OP
Adjustment date: 06/17/2002 AKELLEY
07/02/2002 MBERRIE 00000040 09924110
05 FC:128 -1960.00 OP
06/17/2002 AKELLEY 00000010 09924110
01 FC:201 370.00 OP
02 FC:205 65.00 OP
03 FC:203 90.00 OP
04 FC:202 168.00 OP
05 FC:228 980.00 OP

To: Assistant Commissioner for Patents
Request for Refund

Should you have any questions regarding this request, please feel free to contact me.

Respectfully submitted,



Timothy H. Van Dyke, Reg. No. 43218

Attorney for Applicant

Customer No: 29847

Van Dyke & Associates, P.A.

1630 Hillcrest Street

Orlando, FL 32803

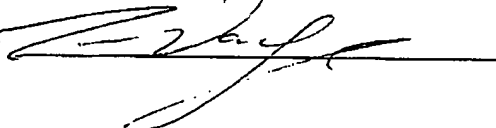
Phone: 407-228-0328; Fax: 407-228-0329

4-4-2002
Date

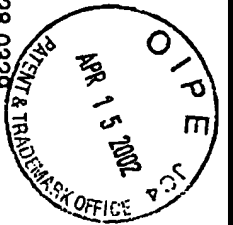
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: 4-4-2002

Typed Name: Timothy H. Van Dyke

Signature: 

Customer No: 29847
 Van Dyke Associates, P.A.
 1630 Hillcrest Street
 Orlando, FL 32802
 Phone: 407-228-0328; Fax: 407-228-0329



Summary of Refund Fees

Serial No./ Attorney Docket No.	Date	Payment Type	Check Num	Reason(s) for Payment (applicable to Small Entity Status)	Amount Paid to USPTO	Amount that should have been paid	Refund Due
1 Serial No.: 29/123,227; RTI-D1	01/04/2002	Check	5234	Payment of Issue Fee	\$ 460.00	\$ 230.00	\$ (230.00)
2 Serial No.: 09/962,924; RTI-113R	01/07/2002	Check	5236	Basic Filing Fee, Extra Claim Fee & Surcharge for Response to Missing Parts	\$ 1,122.00	\$ 561.00	\$ (561.00)
3 Serial No.: 09/154,400; TB-1101A	01/10/2002	Check	5243	Petition and Fee for a 3 month extension of time for Response to Office Action	\$ 920.00	\$ 460.00	\$ (460.00)
4 Serial No.: 09/191,232; RTI-111	01/10/2002	Check	5245	Petition & Fee for 3 month extension of time for Response to Office Action	\$ 1,190.00	\$ 595.00	\$ (595.00)
5 Serial No.: 09/711,670; RTI-1011A	01/11/2002	Check	5256	Petition & Fee for a 3 month extension of time for Response to Restriction Requirement	\$ 920.00	\$ 460.00	\$ (460.00)
6 Serial No.: 60/328,283; RTI-137P3	01/14/2002	Check	5258	Surcharge for Respond to Provisional Application Missing Parts	\$ 50.00	\$ 25.00	\$ (25.00)
9 Serial No.: 10/013,328; RTI-1181C	02/28/2002	Mastercard		Basic Filing Fee, Extra Claim Fees & Surcharge for Response to Missing Parts	\$ 1,428.00	\$ 714.00	\$ (714.00)
10 Serial No.: 09/905,683; TB-1041A CA	03/11/2002	Mastercard		Basic Filing Fee, Extra Claim Fees & Surcharge for Response to Missing Parts	\$ 2,420.00	\$ 1,210.00	\$ (1,210.00)
11 Serial No.: 09/941,154; RTI-112R1A	03/12/2002	Mastercard		Basic Filing Fee, Extra Claim Fees & Surcharge for Response to Missing Parts	\$ 3,752.00	\$ 2,056.00	\$ (1,696.00)
12 Serial No.: 09/924,110; RTI-1181B	03/21/2002	Mastercard		Basic Filing Fee, Extra Claim Fees & Surcharge for Response to Missing Parts	\$ 3,476.00	\$ 1,673.00	\$ (1,803.00)

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Summary of Refund Fees

Serial No./ Attorney Docket No.	Date	Payment Type	Check Num	Reason(s) for Payment (applicable to Small Entity Status)	Amount Paid to USPTO	Amount that should have been paid	Refund Due
13 Serial No.: 09/898,913; RTI-136	03/25/2002	Mastercard		Petition and Fee for a 1 month extension of time for response to Restriction Requirement	\$ 110.00	\$ 55.00	\$ (55.00)
14 Serial No.: 09/191,232; RTI-111	03/26/2002	Check	5413	Payment of Issue Fee	\$ 1,280.00	\$ 640.00	\$ (640.00)
15 Serial No.: 5,814,084; TB-100	03/26/2002	Check	5414	Payment of 3.5 year Patent Maintenance Fee	\$ 880.00	\$ 440.00	\$ (440.00)
		Total Paid			\$ 18,008.00	\$ 9,119.00	\$ (8,889.00)